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10/523,037

04/25/2005

Vincent Bonnet

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EXAMINER

SCHWARTZ, DARREN B

ART UNIT

PAPER NUMBER

2135

MAIL DATE

DELIVERY MODE

08/14/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/523,037 | Applicant(s) BONNET ET AL. | |
| | Examiner DARREN SCHWARTZ | Art Unit 2135 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02-02-05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 8-10 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Tribble et al (U.S. Pat 5781633 A), hereinafter referred to as Tribble.

Re claim 8: Tribble teaches a procedure for communication between at least two applications A and B in an operating system intended to prevent application A from accessing information content of an application window B (col 1, lines 33-45, col 6, lines 9-12 and col 22, lines 30-31), comprising:

creating at least one variable by application B (col 13, lines 1-10: “*process A only needs the agreed key for the process pair AB (e.g., AK.AB) to send an encrypted message (e.g. a message) to an object B1 in the process B. If they do not already have an agreed key, then two process can generate their agreed key as described in reference to Fig. 5 as long as one of the processes knows the public key of the other process or, alternatively, the fingerprint of the other process. For example, assuming that process A wants to establish a secure inter-process channel with process B and only know B's fingerprint 378-b, process A would first issue a message asking the process with the fingerprint 378-b (i.e. process B) to return its public key 370-b*”);

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receiving a request from application A by application B (col 13, lines 8-10:

“process A would first issue a message asking the process with the fingerprint 378-b (i.e. process B) to return its public key 370-b.”);

verifying a value of the variable by application B to verify validity of the request or of authenticating its origin (col 13, lines 12-17: *“Process B would then return its public key 370-b to process A, which uses the fingerprint 378-b and the appropriate hash function to verify that the returned public key was indeed from process B. Once process A has verified process B’s public key...”*); and

responding to the request as a function of the value and/or the origin (col 13, lines 17-19: *“Once process A has verified process B’s public key, the two processes can establish their Diffie-Helman agreed key AK-AB...”*).

Re claim 9: Tribble teaches wherein the two applications A and B are the same (A is equal to B) (col 1, lines 34-38 and lines 49-52).

Re claim 10: Tribble teaches modifying the value of the variable for the request to be considered valid (col 13, lines 10-13).

Re claim 12: Tribble teaches the operating system uses and manages messages between applications (col 6, lines 9-23).

Re claim 13: Tribble teaches the value verified by application B is different from a predefined value and responding comprises not satisfying the request (col 13, lines 8-13 and col 14, lines 3-13).

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Re claim 14: Tribble teaches the value verified by application B is equal to a predefined value and responding comprises satisfying the request (col 13, lines 8-13 and col 14, lines 3-13).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tribble et al (U.S. Pat 5781633 A), hereinafter referred to as Tribble, in view of Jamsa et al ("Jamsa's C/C++ Programmer's Bible, The Ultimate Guide to C/C++), hereinafter referred to as Jamsa.

Re claim 11: Tribble teaches all the limitations of claim 8 as previously discussed. However, Jamsa teaches verifying is performed by an overloaded function of the operating system (sections 1197).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Tribble with the teachings of Jamsa, for the purpose of enhancing member function encapsulation (see section 955).

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although

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the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the text of the passage taught by the prior art or disclosed by the examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gray, John Shapley, "Interprocessing communications in LINUX®, The Nooks & Crannies," pages 262-265.

U.S. Pat Pub 2002/0065866 A1

U.S. Pat Pub 2002/0098830 A1

U.S. Pat Pub 2002/0161880 A1

U.S. Pat Pub 2003/0055966 A1

U.S. Pat Pub 2004/0088509 A1

U.S. Pat 7383569 B1

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARREN SCHWARTZ whose telephone number is (571)270-3850. The examiner can normally be reached on 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571)272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. S./

Examiner, Art Unit 2135

/KimYen Vu/

Supervisory Patent Examiner, Art Unit 2135